

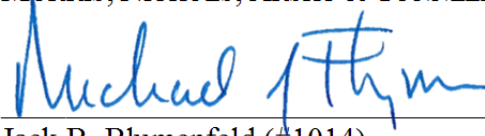
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

INTELLECTUAL VENTURES I LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 10-1067 (LPS)
	)	
CHECK POINT SOFTWARE	)	
TECHNOLOGIES LTD.; CHECK POINT	)	
SOFTWARE TECHNOLOGIES, INC.;	)	
McAFEE, INC.; SYMANTEC CORP.;	)	
TREND MICRO INCORPORATED and	)	
TREND MICRO, INC. (USA),	)	
	)	
Defendants.	)	

**DEFENDANT SYMANTEC CORPORATION'S  
DAUBERT MOTION TO EXCLUDE THE TESTIMONY OF  
INTELLECTUAL VENTURES' DAMAGES EXPERT, MICHAEL WAGNER**

Defendant Symantec Corporation ("Symantec") respectfully moves this Court for an order granting its *Daubert* Motion to Exclude the Testimony of Intellectual Ventures I LLC's Damages Expert, Michael Wagner (the "Motion"). The grounds for this Motion are further set forth in Symantec's Brief in Support of its *Daubert* Motion to Exclude the Testimony of Intellectual Ventures' Damages Expert, Michael Wagner, and the accompanying exhibits, filed concurrently herewith.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP



Jack B. Blumenfeld (#1014)

Thomas C. Grimm (#1098)

Michael J. Flynn (#5333)

1201 North Market Street

P.O. Box 1347

Wilmington, DE 19899-1347

(302) 658-9200

jblumenfeld@mnat.com

tgrimm@mnat.com

mflynn@mnat.com

OF COUNSEL:

Mark A. Flagel

Dean G. Dunlavey

Neil A. Rubin

LATHAM & WATKINS LLP

355 South Grand Avenue

Los Angeles, CA 90071-1560

(213) 485-1234

Yury Kapgan

Suong Nguyen

QUINN EMANUEL URQUHART

& SULLIVAN, LLP

865 S. Figueroa Street, 10th Floor

Los Angeles, CA 90017

(213) 443-3000

*Attorneys for Defendant Symantec  
Corporation*

June 14, 2013

7292929.1

**CERTIFICATE OF SERVICE**

I hereby certify that on June 14, 2013, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on June 14, 2013, upon the following in the manner indicated:

Joseph J. Farnan, III, Esquire  
Brian E. Farnan, Esquire  
FARNAN LLP  
919 North Market Street, 12<sup>th</sup> Floor  
Wilmington, DE 19801  
*Attorneys for Plaintiff*

*VIA ELECTRONIC MAIL*

Parker C. Folse, III, Esquire  
Brooke A.M. Taylor, Esquire  
SUSMAN GODFREY L.L.P.  
1201 Third Avenue, Suite 3800  
Seattle, WA 98101-3000  
*Attorneys for Plaintiff*

*VIA ELECTRONIC MAIL*

John P. Lahad, Esquire  
Weston O'Black, Esquire  
Richard W. Hess, Esquire  
SUSMAN GODFREY L.L.P.  
1000 Louisiana Street, Suite 1500  
Houston, TX 77002  
*Attorneys for Plaintiff*

*VIA ELECTRONIC MAIL*

Karen Jacobs Loudon, Esquire  
Michael J. Flynn  
MORRIS, NICHOLS, ARSHT & TUNNELL LLP  
1201 North Market Street  
Wilmington, DE 19801  
*Attorneys for Trend Micro Incorporated  
and Trend Micro, Inc. (USA)*

*VIA ELECTRONIC MAIL*

Yar R. Chaikovsky, Esquire  
D. Stuart Bartow, Esquire  
Michael F. Martin  
MCDERMOTT WILL & EMERY LLP  
275 Middlefield Road, Suite 100  
Menlo Park, CA 94025  
*Attorneys for Trend Micro Incorporated  
and Trend Micro, Inc. (USA)*

*VIA ELECTRONIC MAIL*

David M. Beckwith, Esquire  
MCDERMOTT WILL & EMERY LLP  
4 Park Plaza, Suite 1700  
Irvine, CA 92614-2559  
*Attorneys for Trend Micro Incorporated  
and Trend Micro, Inc. (USA)*

*VIA ELECTRONIC MAIL*

/s/ Michael J. Flynn  
Michael J. Flynn (#5333)